

**REMARKS**

Claims 1-9 are pending in this application. By this Amendment, the specification and claims 1-9 are amended. Support for the amendment to claim 1 may be found at least at original claim 6 and page 10, lines 25-27. Claim 1 is further amended for clarity. Claims 2-9 are amended for clarity and to correspond to amended claim 1. No new matter is added. Reconsideration on the above amendments and following remarks is respectfully requested.

**I. Allowable Subject Matter**

Applicant appreciates the indication that claims 6-8 contain allowable subject matter.

**II. Objection to the Specification**

The Office Action objects to the specification because of informalities, i.e., references to claim 1 on page 1, line 6 and page 2, line 26 as allegedly incorrect. The specification is amended to obviate this objection. Withdrawal of the objection to the specification is respectfully requested.

**III. Rejections Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1-5 and 9 under 35 U.S.C. §103(a) as being unpatentable over GB 2149887 to Distler et al. (hereinafter "Distler") in view of U.S. Patent No. 5,315,826 to Hirata et al. (hereinafter "Hirata"). This rejection is respectfully traversed.

Distler at least does not disclose a pressure limiting valve that is capable of controlling the hydraulic valve consumers based on pressure medium return. Specifically, Distler fails to teach or disclose a pressure limiting valve being subjected in its opening direction to pressure in a pressure medium return, as recited in amended claim 1. Instead, Distler discloses a braking valve which is subjected in its opening direction to the pressure in an input branch.

Hirata was merely relied on as disclosing a hydraulic controller arrangement with a pump that functions dependent upon the load pressure present. Hirata fails to cure Distler's deficiency. Therefore, Distler and Hirata, each taken alone or in combination fail to disclose


or render obvious independent claim 1. Claims 2-9 are patentable at least for their dependency from claim 1 as well as for the additional features they recite.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Suzanne Balsam  
Registration No. 61,639

JAO:SQB/rle

Date: May 27, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--